

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

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**CRIMINAL NO: 09-391**

**v.**

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**SECTION: "K"**

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**KEVIN TYLER**

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**FACTUAL BASIS**

If this case were to proceed to trial, the United States would prove the following facts beyond a reasonable doubt:

In the beginning of 2009, agents of the Drug Enforcement Administration (DEA) began an investigation into the drug trafficking activities of WILLIAM STEVENSON and others in the Eastern District of Louisiana and elsewhere. On July 28, 2009, United States District Judge Ivan L.R. Lemelle signed an order authorizing the interception of wire communications over cellular telephone number (504) 402-9853 utilized by WILLIAM STEVENSON (hereinafter referred to as STEVENSON). Interception of wire communications to-and-from this telephone continued until August 16, 2009. Agents were also granted a federal search warrant for text messages sent to and from telephone number (504) 402-9853. Following the termination of the wire interception on STEVENSON's telephone, agents were granted authorization by United States District Judge Ivan L.R. Lemelle to intercept communications over cellular telephones (504)896-

0210 utilized by MARK ROSS; (832) 724-9881 utilized by LANDRY GRANDISON; (281) 302-9107 utilized by CASSANDRA BATISTE and TROY POCHE; and (504) 281-7430 utilized by HOWARD LUMAR, JR. During the course of the investigation, agents learned that STEVENSON conspired with MARK ROSS, LANDRY GRANDISON, TROY POCHE, and CASSANDRA BATISTE to obtain wholesale supplies of heroin that he mixed with cutting agents and packaged for individual distribution. STEVENSON also conspired with MARK ROSS, **KEVIN TYLER** ("TYLER"), and others to acquire quantities of cocaine hydrochloride.

During the interception of STEVENSON's telephone, agents intercepted a series of telephone calls wherein STEVENSON assisted his cousin later identified as LEONARD WHITE get cocaine. At trial, agents and witnesses would testify that on August 4, 2009, STEVENSON called MARK ROSS to contact a supplier of cocaine hydrochloride for WHITE. In a series of telephone conversations, ROSS confirmed with STEVENSON that STEVENSON wanted ROSS to call **TYLER** to supply WHITE with a kilogram of cocaine hydrochloride.

On August 6, 2009, STEVENSON and WHITE were intercepted planning to meet at 1:00 p.m. At approximately 1:47 p.m., STEVENSON called WHITE and told him "I got your boy right here, he is going to meet you." WHITE said he was on his way uptown now and STEVENSON told him to meet him at the Advanced Auto Parts on Claiborne. TYLER admits that he gave WHITE a kilogram of cocaine hydrochloride after this meeting.

On August 7, 2009, WHITE called STEVENSON and told him that he wanted STEVENSON to get in touch **TYLER** because WHITE had a problem. At approximately, 12:00 p.m. agents conducting surveillance on WHITE's residence saw him leave in his black Camry and meet with the driver of a Silver Acura LT bearing Louisiana License plate PWU661. The Silver

Acura LT was registered to **TYLER**. WHITE returned the kilogram of cocaine hydrochloride to **TYLER** because it was not suitable for resale.

On January 31, 2009, Texas law enforcement received a tip about a cocaine deal planned at a residence in Spring, Texas, involving men from New Orleans, Louisiana. The law enforcement officers conducted surveillance and observed four men, one of whom was **TYLER**, at the residence. When law enforcement officers approached the residence and received consent to search from the homeowner they found \$385,880.00 in U.S. currency inside and drug trafficking paraphernalia to include a seal a meal, triple beam and digital scales. **TYLER** admits that he knew the homeowner, introduced the other men to the homeowner, and had arranged for them to use the house for a multiple kilogram cocaine transaction. One of the men with **TYLER** that day was ALVIN BARNES. BARNES was with **TYLER** to purchase cocaine for WILLIAM STEVENSON. STEVENSON had given BARNES \$100,000.00 to get 4 kilograms of cocaine hydrochloride.

The government and the defendant agree and stipulate that the amount of narcotics that the defendant, **TYLER**, was responsible for in this case is 5 kilograms of cocaine hydrochloride.

**Read and Approved:**

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KEVIN TYLER (Date)  
Defendant

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John Musser, IV (Date)  
Defense Counsel for Kevin Tyler

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EMILY K. GREENFIELD #28587 (Date)  
Assistant United States Attorney

